S.B.CRIMINAL MISC. BAIL APPLICATION NO.5503/2007
(Prabhu Ram vs. State of Rajasthan)

DATE OF ORDER : November 27, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr. G.R.Punia, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor for State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the police investigation diary.

It is contended by the learned counsel for the petitioner that Hanuta Ram in his life time relinquished his share of agriculture land in 1991 by a written document and thereafter on the basis of relinquished deed, the mutation was entered into. After the death of Hanuta Ram, his son Bhanwar Lal filed a suit as also lodged this report. The document relinquished deed is forming part of the police investigation diary and the first informant Bhanwar Lal is the signatory of that document also.

Be that as it may, without commenting on the merit of the case, having regard to the facts and circumstances of the case and having considered the oral arguments advanced by learned counsel for the parties, I consider it just and proper to grant

anticipatory bail to the petitioner.

Accordingly, the bail application filed by petitioner under section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner Prabhu Ram s/o Har Lal in FIR No.266/2007, Police Station, Makrana, Distt. Nagaur, he shall be released on bail for a period till the police concludes the investigation and files the challan provided he furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-